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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.				
10/529,980	03/24/2005	Sadayoshi Terada	3260	7565				
7590 Striker Striker & Stenby 103 East Neck Road Huntington, NY 11743		09/17/2007	<table border="1"><tr><td colspan="2">EXAMINER</td></tr><tr><td colspan="2">REICHLE, KARIN M</td></tr></table>		EXAMINER		REICHLE, KARIN M	
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			<table border="1"><tr><td>ART UNIT</td><td>PAPER NUMBER</td></tr><tr><td>3761</td><td></td></tr></table>	ART UNIT	PAPER NUMBER	3761		
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			<table border="1"><tr><td>MAIL DATE</td><td>DELIVERY MODE</td></tr><tr><td>09/17/2007</td><td>PAPER</td></tr></table>	MAIL DATE	DELIVERY MODE	09/17/2007	PAPER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10529980	3/24/2005	TERADA ET AL.	3260

Striker Striker & Stenby
103 East Neck Road
Huntington, NY 11743

EXAMINER

Karin M.. Reichle

ART UNIT	PAPER
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3761

20070913

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

see attached communication

K.M. Reichle
Karin M. Reichle
Primary Examiner
Art Unit: 3761

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/529,980

Examiner

Karin M. Reichle

Applicant(s)

TERADA ET AL.

Art Unit

3761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 03 July 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Continuation of 1(c) Other: All the changes made to the original specification still were not shown in the marked up copy, e.g. in paragraph 23, the spacing added after "FIG." on lines 3 and 5 of the original text is not shown. For another example, the third line of paragraph 42 does not show the changes made to the original text to arrive at the amended text. As a final example, the boxes of Table 1 shown in the marked up copy and that shown in the original specification, are not the same, i.e. the boxes labelled "Wet Back" and "Amount" were consolidated into a single box.

The following issues are also further noted:

1) In claim 8 and 13 the terminology "NBSK" is used. Such terminology and similar terminology "NBKP" is also used in the description bridging pages 6-7 but there does not appear to be any explanation as to what such terminology stands for? What does it stand for and where is such disclosed?

2) Claims 9-10 and 15-16 set forth the absorbent article as defined in previous claims from which they depend consist of a diaper or napkin which is inconsistent with the claims from which they depend which define such article as "comprising" certain other structure.

3) In claim 14 a range of absorption speed is set forth for an article with a core of alternating layers and at least three parts divided by at least two passages. Applicant relies upon the description bridging pages 6-7, see also 1) supra, and Table 1. While such portions of the description describe an article with a core of alternating layers with specific compositions and weights and only three parts divided by only two passages with a specific single absorption speed, this is not what is claimed. Where is the support commensurate with the scope of such claim in a single embodiment set forth in the original description? Note MPEP 714.02, second to last section thereof.